

AMENDING THE COMMUNICATIONS ACT SO AS TO
ELIMINATE 30-DAY RESTRICTION ON SPECIAL AND
SAFETY SERVICE LICENSES

APRIL 9, 1962.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. MOULDER, from the Committee on Interstate and Foreign
Commerce, submitted the following

R E P O R T

[To accompany S. 1371]

The Committee on Interstate and Foreign Commerce, to whom was referred the bill (S. 1371) to amend subsection (e) of section 307 of the Communications Act of 1934, as amended, to permit the Commission to renew a station license in the safety and special radio services more than 30 days prior to expiration of the original license, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

GENERAL STATEMENT

This bill would amend subsection (e) of section 307 of the Communications Act of 1934 so as to permit the FCC to renew a license in the safety and special radio services field more than 30 days prior to the expiration of the original license.

At the present time section 307(e) reads as follows:

(e) No renewal of an existing station license shall be granted more than 30 days prior to the expiration of the original license.

The language as presently contained in the act is sufficiently broad to include all types of licenses issued by the FCC—those for broadcasters and common carriers, as well as those in safety and special services area.

This legislation will maintain the present restriction insofar as broadcast and common carrier licenses are concerned and it is in this area that the restriction of section 307(e) is more appropriately ap-

plied since application for broadcast licenses and common carrier services are usually granted on a competitive basis and the nature of the services offered under these licenses affects a major segment of the population and the 30-day limitation acts as a useful limitation.

The 30-day requirement of section 307(e) creates an obstacle to the Commission's constant effort to timely process the ever-increasing number of applications for authorization in the various safety and special radio services.

In many cases, a needless duplication of effort could be avoided if an application for license modification could also be treated as a renewal application. Since no renewal can be granted more than 30 days prior to the expiration of the original license under the law as now written, the Commission, in those cases where it is considering an application for the modification of a license which has an expiration date occurring more than 30 days later, must act solely on the modification notwithstanding that the same license will thereafter come up for renewal. Such a practice seems inefficient and needlessly burdensome, especially when, as in all of these safety and special radio-type cases, applications for license modification contain all information needed for renewal consideration. Also, such licenses are not mutually exclusive so the rights of others are not prejudiced by a grant.

The magnitude of the problem may be illustrated by examining some statistics in the amateur radio service which is just one of the numerous safety and special radio services. During the fiscal year 1959, 10,500 modified licenses were issued. Eventually, each of these 10,500 licenses must be processed again on renewal, even though all the information necessary for renewal was at hand when the modifications were granted.

The bill herein reported would permit the Commission to consider such applications for modification as applications for modification and renewal. Accordingly, the Commission could then issue such modified licenses for a regular license term, thus eliminating most of the duplicate effort. A similar reduction of workload in relation to the overall application processing activities in this area would be a great advantage to the public and the Commission, without any reduction in the Commission's current fulfillment of its public interest obligations.

The elimination of the 30-day restriction contained in the present law would eliminate needless duplication by authorizing the FCC to act on renewals at the same time they are modifying a license. In view of the sheer volume of applications in the safety and special services area, plus the noncompetitive nature of these licenses, the public interest would be served by minimizing the duplication and burdensome repetition now required because of the 30-day restriction. This is another step in the direction of making available to the FCC the flexibility that will lead to the reduction in workload and backlog of cases that has plagued the FCC for the past 10 years.

CHANGES IN EXISTING LAW MADE BY THE BILL, AS REPORTED

In compliance with clause 3 of rule XIII of the Rules of the House of Representatives, changes in existing law made by the bill, as reported, are shown as follows (new matter is printed in *italic*, existing law in which no change is proposed is shown in *roman*):

SECTION 307(e) OF THE COMMUNICATIONS ACT OF 1934

(48 Stat. 1064; 47 U.S.C. 307(e))

ALLOCATION OF FACILITIES; TERM OF LICENSES

SEC. 307. (a) * * *

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(e) No renewal of an existing station license *in the broadcast or the common carrier services* shall be granted more than thirty days prior to the expiration of the original license.

